

'Dirty Book'

Causes 2

NOV 1 6 1966

Arrests

One book and two men took a sudden trip when police raided The Psychedelic Shop in the Haight-Ashbury district of San Francisco yesterday.

Pickets who suddenly materialized, complete with beards and painted signs reading "Ban the Bible," "Fascist Police" and other such messages, got across the idea it wasn't the kind of trip they advocated.

It started when two Juvenile Bureau inspectors, Pete Maloney and Sol Weiner, bought "The Love Book," a collection of poems by Leonore Kandel, a resident of the little area in which LSD-users and their satellites find convenient pads.

The officers said the book was obscene, and arrested the clerk, Allen Cohen, 26.

This was the first time police have acted against the store, which specializes in literature, music and other appurtenances allegedly used in connection with psychedelic "trips." And the other browsers in the store objected.

Their friends quickly gathered, including Miss Kandel, and also objected, jeering and displaying picket signs. One of the crowd, James Helms, 21, demanded entrance to the store and scuffled with officer Leo McGuire, who arrested him.

Later, store customers complained that the police stood them against the wall "while they frisked us" as if they were suspected criminals.

Clerk Seized In S.F. Smut Crackdown

RONALD MUSZALSKI
NOV 18 1966

Ronald Muszalski, 31, was arrested in North Beach yesterday as San Francisco police continued their drive against a book of poems they say is "hard core pornography."

Muszalski, a clerk at City Lights Bookstore, was arrested after selling police a copy of "The Love Book", a slender volume written by Lenor Kandel.

Sixteen copies of the book were seized.

Muszalski was charged with violating the California anti-obscenity law by Inspector Peter Maloney, who bought the book. Maloney said the poetry was hard core pornography without redeeming social importance.

Jay Thelin, co-owner of the Psychedelic Shop, and Allen Cohen, a clerk in the shop, were arrested earlier in the week in connection with sale of the book, and are scheduled for hearing in San Francisco Municipal Court Wednesday.

Judge Asks Panel for 'Love Book'

NOV 24 1966

"The Love Book," a five-page volume of poems, has become so controversial, a San Francisco judge wants help in deciding whether it's obscene.

The book's author, housewife Lenore Kandel, admits that some four-letter words are obscene — "hate" and "bomb" are two — but she contends the frank terms in her poetry are not.

And six English professors at a San Francisco State College rally yesterday supported her contention, insisting that in this "sexual century" policemen were wrong to seize her book.

Municipal Judge Joseph G. Kennedy, who is scheduled to hear the cases of two booksellers arrested in connection with the book, said yesterday he wants a three-judge panel to hear the matter.

Kennedy said the case was "of overwhelming importance to the community" and that he was therefore seeking aid in deciding the matter.

The six English professors who defended Miss Kandel's work defied the police department yesterday by reading from "The Love Book" and from "The Beard," a play by Michael McClure.

More than 300 young men and women attended the reading at the Gallery Lounge on the college campus, but no police declared themselves and there was no arrests.

HARD CORE

'Love Book' Condemned By Shelley

"I certainly wouldn't want my kids to read it."

That's how San Francisco Mayor John F. Shelley described "The Love Book," a controversial volume of poetry.

Shelley said the poetry was "hard core pornography."

"I don't think this thing should be on sale where young kids can get hold of it," he declared.

While the mayor was talking about the book, four San Francisco State College professors were busily selling it at a North Beach book store.

A two-man police obscenity team last week confiscated the book, written by housewife Lenore Kandel, 34, at two book shops and arrested three clerks on grounds the six-page volume was "obscene literature."

The four professors sold the entire stock of 30 copies of "The Love Book" at the City Lights book store. Police ignored the action because they felt the three original arrests were enough to provide test court cases of the city's antiobscenity regulations.

The professors — Leonard Wolf, Mark Linenthal, James Scheville and Jack Gilbert — had earlier defied police by reading the slim volume to a crowd of 500 persons at the college.

Lawrence Ferlinghetti, an off-beat poet and owner of the City Lights, said he hired the four for \$1 a day. He explained that to violate obscenity laws the sellers must know the material is obscene. The professors, he said, did not think the book qualified as pornography.

The American Civil Liberties Union has declared its intention to defend the book in court on the ground that its suppression would violate free speech.

A three-judge panel will be set up in municipal court to determine whether the book is obscene.

Love Book

DEC 3 - 1966

Pretrial

Hearing Set

A Municipal Court judge yesterday denied a defense request to dismiss pornography complaints against Lenore Kandel's poem, "Love Book."

Judge Joseph G. Kennedy also set Dec. 15 as a tentative date for a pretrial hearing before a three-judge panel to determine if the poetry is obscene.

Kennedy had strong words for Mayor John F. Shelley, the police and Miss Kandel's defense for their action involving the controversy.

"I abhor the action taken in this matter by the mayor and the police department," he said at a hearing. "All conduct of this kind is reprehensible and a dangerous threat to the administration of justice."

Shelley was cited for his comments that the book was dirty and "he wouldn't want his kids to read it." Kennedy referred to police condemnation of the poetry in news reports.

Kennedy also cited defense tactics such as news conferences, television shows and readings and discussions by college professors.

Police seized Miss Kandel's book two weeks ago on grounds it was obscene.

Oakland Tribune, HAHS Collection, Gift of the Oakland Tribune

Jury Finds 'Love Book' Obscene

MAY 27 1967

Three book clerks were found guilty in San Francisco early today of knowingly selling obscene literature — the erotic poem, "The Love Book."

A jury of 10 women and two men deliberated 10 hours, returning the verdict at 12:37 a.m., culminating a five week trial — the longest in the city's municipal court history.

Jurors first faced the decision of whether the small volume of poetry was obscene, in that it "exceeded the customary limits of candor in San Francisco."

Concluding that there was "no redeeming social importance" in the poem's 825 words and that it was, indeed, obscene, the jurors then decided the three book clerks knew it when they sold it.

The three men found guilty of selling the book include Jay Thelin, co-owner of the Psychedelic Shop in the Haight-Ashbury district; Alan Cohen, a clerk in that shop and Ronald Muszalski, a clerk in the City Lights Bookstore.

The trial before Judge Lawrence Mana has drawn wide attention to the poem by 34-year-old housewife Lenore Kandel, which is liberally sprinkled with four-letter words used to explicitly describe sexual love play.

Witnesses called during the lengthy hearing include college professors and members of the clergy, many of whom defended the poem. Defense lawyers said the poem had a religious theme, and called its approach to sex "truthful and honest."

The case was submitted to the jury at 10:29 a.m. yesterday.

Oakland Tribune, HAHS Collection, Gift of the Oakland Tribune

'Love Book' Case Attorneys to Seek New Trial

Lenore Kandel

MAY 30 1967

Defense attorneys in "The Love Book" case say they will file motions for a new trial Friday in San Francisco Municipal Court.

Vasilios B. Choulos, co-counsel for the three men convicted of selling the erotic poem, said that Judge Law-

rence S. Mana "turned it into a heresy trial instead of an obscenity trial."

Choulos said that if motions for a new trial fail, the conviction will be taken to District Court of Appeal and, if necessary, to the Supreme Court.

The attorney said Mana made "several errors" during the trial, and the appeal would be based on these points.

In an ironic turn, "Love Book" publisher Jeff Berner told a news conference yester-

day he will donate 1 per cent of the poem's profit to the San three salesmen in two Haight-Ashbury stores last November.

"But after the San Francisco Police took an interest in it, the sales sailed up to 2,000 copies," he said.

San Francisco Police Retirement Association.

"This is my way of saying 'thank you' to the police for making 'The Love Book' internationally famous," Berner said.

Claiming he was deadly serious about the pledge, Berner pointed out that only 60 copies of the 825-word book of poetry were sold before police picked up volumes and arrested

'Love Poem' Conviction Overturned

APR 9 - 1971

Federal District Judge Alfonso J. Zirpoli yesterday overturned a 1967 obscenity conviction of a San Francisco man who sold "The Love Book" of poems by Leonore Kandel.

Judge Zirpoli found that a jury instruction of then Municipal Court Judge Lawrence S. Mana was in error in applying the "redeeming social importance" test of obscene matter set forth in 1956 by the U.S. Supreme Court.

In making the decision, Judge Zirpoli granted a writ of habeas corpus to Allen Cohen, a Haight-Ashbury bookseller who was fined \$50 and placed on six months probation following conviction.

The instructions given by Judge Mana said "The Love Book" could be found obscene if, "the average person applying contemporary community standards would conclude that the matter is utterly without redeeming social importance."

But Judge Zirpoli held that the Supreme Court had gone further by holding that, "all ideas having even the slightest redeeming social importance . . . even ideas hateful to the prevailing climate of opinion have free speech protection."

Judge Zirpoli said the Supreme Court's decision was "intended to protect those works beyond the understanding of the average man and unembraced by the morals of the day."

"Without its protection, serious works ahead of their time might fall victim to the censor," he added.